

Article - Estates and Trusts

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§5–503.

(a) As used in this subtitle, “leasehold property” refers only to a leasehold interest in real property.

(b) A foreign personal representative shall:

(1) Publish once a week for three successive weeks a notice in a newspaper of general circulation in each county in which real or leasehold property of the decedent was located, announcing his appointment, his name and address, the name and address of his Maryland agent for service of process on file with the register in each county where real or leasehold property was located, the name of the court which appointed him, a brief description of all real and leasehold property owned by the decedent in the county, the date of the decedent’s death, and containing the following statement: All persons having claims against the decedent must present their claims to the undersigned, or file them with the register of wills on or before the earlier of the following dates:

(i) 6 months from the date of the decedent’s death; or

(ii) Two months after the foreign personal representative mails or otherwise delivers to the creditor a copy of this published notice or other written notice, notifying the creditor that his claim will be barred unless he presents the claim within two months from the mailing or other delivery of the notice;

(2) Record in each appropriate office of the register a certification that he has published notice as required; and

(3) Promptly after a proceeding under this subtitle has been instituted, comply with the provisions of § 7–103.1 of this article.

(c) Within the time periods provided under subsection (b) of this section, a creditor may file with the register a written statement of his claim, in the form set forth in § 8–104(c) of this article, and if a foreign personal representative has instituted a proceeding under this subtitle deliver or mail a copy of the statement to the personal representative. The register shall maintain a book known as the “Claims Against Nonresident Decedents” book in which every claim and release shall be recorded. Unless and until a release of a validly recorded claim has been recorded, or the claim has finally been determined in favor of the personal representative, the claim shall constitute a lien against the real and leasehold property owned by the

decedent in the county at his death for a period of 12 years from date of death. If the personal representative is empowered by the will to sell the property the claim shall constitute a lien against the net proceeds from the sale.

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